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CENTRAL FAX CENTER**SEP 13 2006**Attorney Docket: 298-239IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Siefried et al. EXAMINER: Tony H. Winner
SERIAL NO.: 10/828,820 GROUP: Art Unit 3611
FILED: April 21, 2004 Dated: September 13, 2006
FOR: SYSTEM FOR THE TRANSPORTATION OF CONSTRUCTION
MACHINES, PREFERABLY EXCAVATORS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to Applicant(s) duty of disclosure, the information listed on the attached form PTO-1449 is brought to the attention of the Examiner. A copy of the listed items is enclosed.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that the references are prior art. The items listed are submitted in good faith, but are not intended to a substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of these particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

CERTIFICATE OF FACSIMILE

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office (1-571-273-8300) on the date shown below.

Dated: September 13, 2006
George M. Kaplan

BEST AVAILABLE COPY

The listed items were cited in a Search Report (copy enclosed) issued July 21, 2006 by the European Patent Office in a counterpart European application and which categorizes the references, thus satisfying the requirement for a concise explanation of relevance of all non-English references under M.P.E.P. §609.04(a)(III). U.S. Patent No.: 3,631,999 is already of record and therefore not listed upon accompanying form PTO-1449.

The filing of this information disclosure statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

- ☐ This information disclosure statement is being filed within three (3) months of the filing date of this application.
- ☐ This information disclosure statement is being filed within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application.
- ☐ To the best of Applicant(s) knowledge, this information disclosure statement is being filed before the date of mailing of a first Office Action on the merits in connection with this case.
- ☒ Enclosed herewith is a certificate under 37 C.F.R. § 1.97(e)(1).
- ☐ Enclosed herewith is a petition under 37 C.F.R. § 1.97(d)(ii).
- ☐ Enclosed by check is the petition fee of \$130.00. 37 C.F.R. § 1.17(i)(1))
- ☐ Please charge the \$130.00 petition fee to Deposit Account No. 04-1121.
- ☐ Enclosed by check is the \$180.00 fee required by 37 C.F.R. § 1.17(p).

- ☐ Please charge the \$180.00 fee required by 37 C.F.R. § 1.17(p) to Deposit Account No. 04-1121.
- ☒ Please charge any deficiency as well as any other fee(s) which may become due under 37 C.F.R. § 1.16 and/or 1.17 at any time during the pendency of this application, or credit any overpayment of such fee(s) to Deposit Account 04-1121. Also, in the event any extensions of time for responding are required for the pending application(s), please treat this paper as a petition to extend the time as required and charge Deposit Account No. 04-1121 therefor.
- TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.**

CERTIFICATION UNDER 37 C.F.R. §1.97(e)(1)

Applicants submit that each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Early and favorable consideration of the case is respectfully requested.

Respectfully submitted,



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(Form PTO-1449 [6-4])